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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2018/2019

UPI3612- PUBLIC INTERNATIONAL LAW I (All Sections/ Groups)

15 OCTOBER 2018

Reading Time: 2.30 p.m. – 2.45 p.m.
(15 Minutes)

Answering Time: 2.45 p.m. – 5.45 p.m.
(3 Hours)

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes **ONLY** in their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.
2. This Question paper consists of 2 pages with 4 Questions only.
3. Attempt question 1A **or** 1B. Questions 2-4 are compulsory. The distribution of the marks for each question is given.
4. Students are not allowed to bring in any statutes into the Examination Hall.
5. Please write all your answers in the Answer Booklet provided.

ATTEMPT EITHER: -

QUESTION 1A

State Jurisdiction is an aspect of State Sovereignty which includes both, the power to prescribe rules and the power to enforce them enforcement jurisdiction. With regard to Criminal Jurisdiction, there are five principles on which jurisdiction is claimed. Outline these principles.

OR

(Total: 25 Marks)

QUESTION 1B

a) In the acquisition of territory, identify the various modes of acquiring the sovereignty of a territory.

(15 marks)

b) Explain with examples the term, “terra nullius” in the context of occupation and prescription of a territory.

(10 marks)

(Total 25 Marks)

STUDENT MUST ATTEMPT ALL OF THE FOLLOWING QUESTIONS: -

QUESTION 2

a) The ASEAN community convened a conference in Manila to consider adopting a new multilateral convention on drug trafficking. Describe the various steps which the state need to adopt, for the treaty to be ratified.

(15 marks)

b) A year after ratification of treaty by all the nations concerned, Vietnam one of the signatories of the treaty was faced with violent street demonstrations who opposed the treaty. Unable to cope with the demonstration Vietnam decides to terminate the treaty.

As a legal advisor, advise the government on whether they are any legal remedies that they may consider in terminating the treaty.

(10 marks)

(Total: 25 Marks)

QUESTION 3

Under the Draft Articles on the Responsibility of States for Internationally Wrongful Acts, a state faces legal consequences arising from the breach of a state in the failure of its international obligation.

Discuss the law of state responsibility that has been established and show examples of breach of international obligations.

(Total: 25 Marks)

Continued...

QUESTION 4

Johnston was the president of VENA in the African Continent. It was alleged that during his rule he had committed many atrocities especially against the Arkan tribe who opposed his rule. After more than 20 years he stepped down due to health reasons. He is now made a senator for life. He travelled to the state of EPRIN to treat his illness. A group of non-governmental organisation who had compiled records of his alleged crime against humanity during his rule in VENA, wants him arrested and be brought to the International Criminal Court.

Discuss the consideration of state immunity that Johnston may avail himself to evade action against him.

(15 marks)

Assess whether Johnston could be liable to be sued in a civil court for human rights abuses.

(10 marks)

(Total: 25 Marks)

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